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13-CV-01047-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SAROEUN PHAI,

Petitioner,

v.

MIKE OBENLAND,

Respondent.

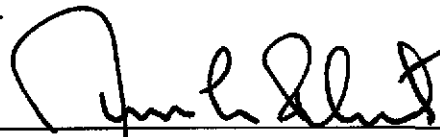
Case No. 2:13-CV-01047-JLR-BAT

**ORDER DENYING AND  
DISMISSING HABEAS PETITION  
AND DENYING ISSUANCE OF A  
CERTIFICATE OF  
APPEALABILITY**

The Court, having reviewed petitioner's 28 U.S.C. § 2254 petition for writ of habeas corpus, the Answer, the Report and Recommendation of Brian A. Tsuchida, United States Magistrate Judge, and the remaining record, does hereby find and **ORDER:**

- (1) The Report and Recommendation is **ADOPTED**.
- (2) Petitioner's § 2254 habeas petition (Dkt. 16) is **DENIED** on the merits and this matter is **DISMISSED** with prejudice.
- (3) Petitioner is **DENIED** issuance of a certificate of appealability.
- (4) The Clerk shall send copies of this Order to petitioner and to Judge Tsuchida.

DATED this 18<sup>th</sup> day of Feb., 2014.

  
JAMES L. ROBART  
United States District Judge

ORDER DENYING AND DISMISSING  
HABEAS PETITION AND DENYING  
ISSUANCE OF A CERTIFICATE OF  
APPEALABILITY- 1